

### **Remarks**

Before this Amendment, claims 1, 3-12, and 29-56 were pending. By this Amendment, claims 1, 3-12, 31-39, and 46-56 have been canceled. Accordingly, after this Amendment, claims 29, 30, and 40-45 will be pending.

In the Decision issued September 22, 2010 by the Board of Patent Appeals and Interferences in this application, the anticipation rejection of claims 29, 30, and 40-44 and the obviousness rejection of 29, 30, and 40-45<sup>1</sup> were reversed. See pages 22-23 of the Decision:

#### **SUMMARY**

We affirm the Examiner's rejection of claims 1, 3, 52, 53, and 55 as anticipated by Boothby I.

However, we reverse the Examiner's rejection of claims 5, 6, 29, 30, 40-44, and 54 as anticipated by Boothby I.

We also affirm the Examiner's rejection of claims 1, 3-12, 31-39, and 46-56 as obvious over Boothby I, Poumarat, and Thorns.

However, we reverse the Examiner's rejection of claims 29, 30, and 40-45 as obvious over Boothby I, Poumarat, and Thorns.

Thus, all rejections of claims 29, 30, and 40-45 have been reversed and no rejections are pending against claims 29, 30, and 40-45. Accordingly, it is respectfully submitted that claims 29, 30, and 40-45 are in form for allowance. Furthermore, all claims with pending rejections have now been canceled. Therefore, it is respectfully requested that a Notice of Allowance be issued for claims 29, 30, and 40-45.

The Applicants hereby make a Conditional Petition for any relief available to correct any defect seen in connection with the filing of this paper, or any defect seen to be remaining in this application after the filing of this paper. The Commissioner is authorized to charge

Kenyon & Kenyon's Deposit Account No. 11-0600 for the Petition fee and any other fees required to effect this Conditional Petition.

Respectfully submitted,

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<sup>1</sup> Claim 45 was not subject to the anticipation rejection.